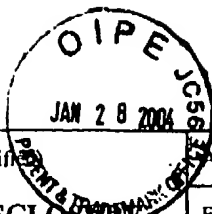


DUPLICATE
CAS 11/29/04



FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/954,987	ATTY. DOCKET NO.: C1041.70016US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: September 17, 2001	CONFIRMATION NO.: 7680
		APPLICANT: Bauer et al.	
		GROUP ART UNIT: 1631	EXAMINER: Carolyn Smith
Sheet	1	of	1

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
CS	B27	WO	03/043572	A2	3M Innovative Properties Company	05-30-2003	

EXAMINER <i>Carolyn Smith</i>	DATE CONSIDERED 6/1/04
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]



DOCKET NO: C1041.70016US00

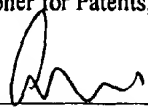
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bauer et al.
Serial No: 09/954,987
Confirmation No: 7680
Filed: September 17, 2001
For: PROCESS FOR HIGH THROUGHPUT SCREENING OF
CpG-BASED IMMUNO-AGONIST/ANTAGONIST

Examiner: Carolyn L. Smith
Art Unit: 1631

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16th day of July, 2004.


Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications (copies enclosed) that may contain subject matter related to this application:

Examiner's
Initials

CS

<u>Serial Number</u>	<u>Filing Date</u>	<u>Inventor</u>	<u>Docket Number</u>
10/769,282	January 30, 2004	Krieg et al.	C1039.70048US01
¹ 10/769,626	January 30, 2004	Krieg et al.	C1039.70083US01
¹ 10/787,737	February 26, 2004	Krieg et al.	C1039.70083US02
¹ 10/788,191	February 26, 2004	Krieg et al.	C1039.70083US04
¹ 10/788,199	February 26, 2004	Krieg et al.	C1039.70083US03
¹ 10/789,051	February 26, 2004	Krieg et al.	C1039.70083US06
¹ 10/789,353	February 26, 2004	Krieg et al.	C1039.70083US07
¹ 10/789,536	February 26, 2004	Krieg et al.	C1039.70083US05
10/811,226	March 26, 2004	Wagner et al.	C1041.70005US01
10/816,220	April 1, 2004	McCluskie et al.	C1037.70039US01
² 10/817,165	April 2, 2004	Krieg et al.	C1039.70048US02
² 10/831,647	April 23, 2004	Krieg et al.	C1039.70048US03
10/831,775	April 23, 2004	Davis et al.	C1039.70058US01
10/831,778	April 23, 2004	Bratzler et al.	C1037.70013US01
10/838,659	May 3, 2004	Davis et al.	C1039.70057US01
² 10/847,642	May 15, 2004	Krieg et al.	C1039.70048US04
¹ 10/847,650	May 15, 2004	Krieg et al.	C1039.70083US08
10/872,196	June 18, 2004	Lipford et al.	C1041.70036US01

¹Copy not enclosed; see C1039.70083US01, Serial No. 10/769,626 for identical specification

²Copy not enclosed; see C1039.70048US01, Serial No. 10/769,282 for identical specification

³Copy not enclosed; see C1041.70002US03, Serial No. 10/876,892 for identical specification

	<u>Serial Number</u>	<u>Filing Date</u>	<u>Inventor</u>	<u>Docket Number</u>
CS ↓	10/876,892	June 25, 2004	Wagner et al.	C1041.70002US03
	¹ 10/876,965	June 25, 2004	Wagner et al.	C1041.70002US02
	³ 10/877,369	June 25, 2004	Wagner et al.	C1041.70002US01
	² 10/877,407	June 24, 2004	Krieg et al.	C1039.70048US05
	10/884,372	July 2, 2004	Bauer et al.	C1041.70016US01

¹Copy not enclosed; see C1039.70083US01, Serial No. 10/769,626 for identical specification

²Copy not enclosed; see C1039.70048US01, Serial No. 10/769,282 for identical specification

³Copy not enclosed; see C1041.70002US03, Serial No. 10/876,892 for identical specification

SIGNATURE

DATE: 12/16/04

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Bauer et al., *Applicant*

By: 

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 646-8000

Docket No. C1041.70016US00
Date: July 16, 2004
XNDD



1449

1631
JFW

Docket No. C1041.70016US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bauer et al.
Serial No.: 09/954,987
Confirmation No.: 7680
Filed: September 17, 2001
For: PROCESS FOR HIGH THROUGHPUT SCREENING OF CpG-BASED
IMMUNO-AGONIST/ANTAGONIST

Examiner: Carolyn L. Smith
Art Unit: 1631

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 9th day of September, 2004.


Alan W. Steele, Reg. No. 45,128

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ [X] Response and Amendment
- ☒ [X] Resubmission of Statement Filed Pursuant to the Duty of Disclosure
Under 37 C.F.R. §§ 1.56, 1.97 and 1.98
- ☒ [X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

No check is enclosed. If a fee is required, please charge to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

*Bauer et al., Applicant*By: 

Alan W. Steele, Reg. No. 45,128
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500
Representative for Applicant

Attorney's Docket No. C1041.70016US00
Date: September 9, 2004
x10/01/04x

824083.1

DOCKET NO: C1041.70016US00

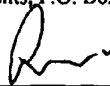
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Applicant: Bauer et al.
Serial No: 09/954,987
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Alan W. Steele, Reg. No. 45,128

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESUBMISSION

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement, ORIGINALLY FILED JULY 16, 2004, IS RESUBMITTED AT THE REQUEST OF THE EXAMINER. The originally filed information disclosure statement was filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is believed to be required.

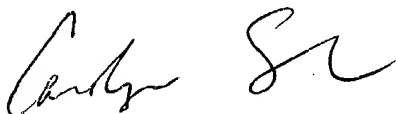
PART II: Information Cited

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications (copies PREVIOUSLY SUBMITTED AND NOT ENCLOSED HERewith) that may contain subject matter related to this application:

<u>Serial Number</u>	<u>Filing Date</u>	<u>Inventor</u>	<u>Docket Number</u>
10/769,282	January 30, 2004	Krieg et al.	C1039.70048US01
¹10/769,626	January 30, 2004	Krieg et al.	C1039.70083US01
¹10/787,737	February 26, 2004	Krieg et al.	C1039.70083US02
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¹10/789,051	February 26, 2004	Krieg et al.	C1039.70083US06
¹10/789,353	February 26, 2004	Krieg et al.	C1039.70083US07
¹10/789,536	February 26, 2004	Krieg et al.	C1039.70083US05
10/811,226	March 26, 2004	Wagner et al.	C1041.70005US01
10/816,220	April 1, 2004	McCluskie et al.	C1037.70039US01
²10/817,165	April 2, 2004	Krieg et al.	C1039.70048US02
²10/831,647	April 23, 2004	Krieg et al.	C1039.70048US03
10/831,775	April 23, 2004	Davis et al.	C1039.70058US01
10/831,778	April 23, 2004	Bratzler et al.	C1037.70013US01
10/838,659	May 3, 2004	Davis et al.	C1039.70057US01
²10/847,642	May 15, 2004	Krieg et al.	C1039.70048US04
¹10/847,650	May 15, 2004	Krieg et al.	C1039.70083US08
10/872,196	June 18, 2004	Lipford et al.	C1041.70036US01
10/876,892	June 25, 2004	Wagner et al.	C1041.70002US03
³10/876,965	June 25, 2004	Wagner et al.	C1041.70002US02
³10/877,369	June 25, 2004	Wagner et al.	C1041.70002US01
²10/877,407	June 24, 2004	Krieg et al.	C1039.70048US05
10/884,372	July 2, 2004	Bauer et al.	C1041.70016US01

S16 NAME



DATE 12/16/04

¹See C1039.70083US01, Serial No. 10/769,626 for identical specification

²See C1039.70048US01, Serial No. 10/769,282 for identical specification

³See C1041.70002US03, Serial No. 10/876,892 for identical specification

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

Bauer et al., *Applicant*

By: 

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600 Atlantic Avenue
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Telephone: (617) 646-8000

Docket No. C1041.70016US00

Date: September 9, 2004

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